

1984 S.C. Op. Atty. Gen. 191 (S.C.A.G.), 1984 S.C. Op. Atty. Gen. No. 84-76, 1984 WL 159883

Office of the Attorney General

State of South Carolina

Opinion No. 84-76

July 9, 1984

*1 Dr. Charlie G. Williams
State Superintendent of Education
State Department of Education
Rutledge Building
1429 Senate Street
Columbia, South Carolina 29201

Dear Dr. Williams:

You have requested the opinion of this Office as to whether [Section 59-1-370 of the Code of Laws of South Carolina](#), 1976, as amended permits local school districts to schedule an in-service training day for teachers on general election day. This statute reads as follows:

‘All State-supported colleges and universities, technical education centers and public schools shall be closed general election day in November of each even-numbered year. This day shall not be considered as one of the regular school days for the year for public schools.’

‘Where the language is plain and admits of no more than one meaning the duty of interpretation does not arise and the rules which are to aid doubtful meanings need no discussion.’ Sutherland Statutory Construction, Vol. 2A § 46.01 (4th Ed.). Here a plain reading of the statement that public schools shall be closed indicates that the schools shall not be operated for any school purposes such as in-service training.

This conclusion is supported by the second sentence of the statute which states that election day shall not be considered one of the regular school days. Although ‘regular school days’ is not defined, the phrase apparently refers to the statutory school term of 185 days. Act 151, § 28, Acts and Joint Resolutions of South Carolina, 1983, pg. 764; see Ops. Atty. Gen. (October 22, 1979). That in-service training is permitted to be included in this statutory school term indicates that it would normally be considered a regular day of school and, thus, not an appropriate use of school on election day. Cf. § 53-5-10 of the Code, as amended.

In conclusion, the opinion of this Office is that inservice training may not be conducted on general election day. If we may be of further assistance, please let us know.

Yours very truly,

J. Emory Smith, Jr.
Assistant Attorney General

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